

RESOLUTION OF THE GOVERNING AUTHORITY OF THE CITY OF DIAMONDHEAD MISSISSIPPI, TO JOIN WITH COAST CITIES AND COUNTIES IN REQUESTING THE LEGISLATURE TO APPROPRIATE AT LEAST 80% OF THE \$750 MILLION IN ECONOMIC DAMAGES FROM THE DEEPWATER HORIZON OIL SPILL TO MISSISSIPPI'S COASTAL COUNTIES TO BE USED FOR STRATEGIC, ECONOMIC DEVELOPMENT TO CREATE NEW JOBS AND PERMANENTLY EXPAND THE STATE'S TAX BASE FROM SALES, INCOME AND GAMING TAXES GENERATED FROM MISSISSIPPI COAST BUSINESSES

WHEREAS, on April 20, 2010, the Deepwater Horizon Oil Spill in the Gulf of Mexico began an unprecedented environmental and economic assault on the three Coastal counties in the State of Mississippi, as well as coastal counties in other Gulf States; and

WHEREAS, the Oil Spill caused severe, immediate and potentially ongoing environmental damages that first brought to a complete halt, and to this day continues to hamper, the historic seafood harvesting, packaging, wholesaling and retailing businesses that have helped sustain the economies of the Coast and the State for hundreds of years; and

WHEREAS, the same concerns caused an immediate cessation, and to this day continuing reduction, of the charter fishing industry that has for decades helped draw tourists from across the country to the Mississippi Coast; and

WHEREAS, the Oil Spill robbed citizens of the Mississippi Coast of an indigenous quality of life in the areas of fishing, boating, shrimping, crabbing, floundering, skiing, sailing, swimming and other water-, beach- and outdoor-related recreational activities; and

WHEREAS, the actual and perceived damages from the Oil Spill caused a severe drop in tourism across the Mississippi Coast, which at the time was on its way to recovery from the effects of 2005's Hurricane Katrina and the national recession of 2008-2009; and

WHEREAS, this negative impact on tourism was especially hard on the Coast casino

business, which once generated more than \$1 billion in annual gross gaming revenues; and

WHEREAS, quality of life concerns caused by the Oil Spill have for years negatively impacted the Mississippi Coast's efforts to attract new businesses, development and residents; and

WHEREAS, now, five years later, Mississippi's Coastal counties are still struggling in many areas to restore to full vigor its fishing, tourism, manufacturing and service industries, its economic development recruitment, and its quality of life; and

WHEREAS, it is important to the Treasury of the State of Mississippi that the Mississippi Coast return to full economic vitality in order to re-establish its leadership position in State tourism and significantly expand its financial contributions to the State budget through state collections of sales, gaming and income taxes generated by businesses and residents of the Coast; and

WHEREAS, local government financial settlements from the Oil Spill only partially compensated the governments within Mississippi's Coastal counties for the overwhelming economic losses incurred and are not any way near sufficient to stimulate the recovery of the Coast economy in order to generate the growth in revenue to the State Treasury that a fully recovered and robust Coast economy would produce perpetually; and

WHEREAS, the local governments of the Mississippi Coast accepted their settlements with the clear understanding, and promise of additional compensation coming from anticipated State settlements; and

WHEREAS, the State of Mississippi has subsequently agreed to a substantial settlement, including \$750 million for economic damages; and

WHEREAS, we believe it is in the best interests of the State of Mississippi that the Coastal counties utilize those monies to reinvigorate their fishing, tourism, manufacturing, and service industries in order to generate more revenues for the State now and for decades to come;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, THAT:

Section 1: We join with the governments of coast cities and counties in requesting the Mississippi legislature to appropriate no less than 80% of the \$750 million in economic damages to Mississippi's Coastal Counties for strategic, economic development as determined by a consensus of those local governments, with the remaining 20% of economic damages to be appropriated for statewide, strategic economic development.

Section 2: We will work quickly and in good faith with all of the Coast local governments to evaluate all specific economic development projects that will be proposed by Coast local governments for funding through Deepwater Horizon settlement funds during the 2016 Legislative Session and to communicate as soon as reasonably possible to the Legislature and State officials a consensus list of projects and priorities that the Coast local governments consider to be essential to strategic, regional, economic recovery and expansion.

Section 3: The Mayor and Municipal Clerk are directed to present this resolution to the Governor, Lt. Governor, Speaker of the House and the coastal delegation of the

Mississippi Senate and House of Representatives, and to publish this resolution to the general public.

Section 4: This resolution shall take effect and be in force from and after adoption.

**SO BE IT RESOLVED**, this the 5th day of January, 2015. The above and foregoing Resolution of the Mayor and Council of the City of Diamondhead, after having been first reduced to writing, was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_ and the matter being put to a vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Lopez	_____	_____	_____
Councilmember Woolbright	_____	_____	_____
Councilmember Knobloch	_____	_____	_____
Councilmember Sislow	_____	_____	_____
Councilmember Rech	_____	_____	_____
Mayor Schafer	_____	_____	_____

APPROVED \_\_\_\_\_  
Mayor Thomas E. Schafer, IV

ATTEST: \_\_\_\_\_  
Kristin Ventura, City Clerk

SEAL

**RESOLUTION ACCEPTING GRANT AGREEMENT FOR THE SMALL MUNICIPALITY AND LIMITED POPULATION COUNTY (SMLPC) GRANT FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY IN THE AMOUNT OF \$150,000.00 AND AUTHORIZATION TO REQUEST A CHANGE IN SCOPE OF WORK, PREPARATION AND AUTHORIZATION TO EXECUTE NECESSARY LEGAL DOCUMENTS; COMMITMENT OF CITY MATCH; AUTHORIZATION TO GET REVISED ENGINEERING COST ESTIMATES**

**WHEREAS**, on January 13, 2016, the City of Diamondhead received a grant agreement from the Mississippi Development Authority in the amount of \$150,000.00 for the 2015 Small Municipalities and Limited Population County (SMLPC) Grant; and

**WHEREAS**, the original Diamondhead SMLPC Grant Application scope of work was to construct a “roundabout” at the intersection of Kalani and East Aloha Drive; and

**WHEREAS**, during discussions for acquisition for the necessary R-O-W for the roundabout it was learned that the land acquisition cost would be significantly more than anticipated and budgeted. However, the property owner suggested an alternative that would make the commercial area more accessible and promote future commercial development and would better meet the project goal; and

**WHEREAS**, Preliminary engineering on construction of a new access road indicated that the cost would be within the current Fiscal Year budgeted funds for the infrastructure development.

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, THAT:**

**SECTION 1.** Clovis Reed, City Manager is hereby authorized to accept and execute any and all necessary grant agreement documents for the 2015 Small Municipalities and Limited Population County Grant award from the Mississippi Development Authority in the amount of One Hundred Fifty Thousand dollars (\$150,000.00).

**SECTION 2.** Clovis Reed, City Manager is hereby authorized to submit a revised change of scope, budget, revised engineering cost estimate and other pertinent documents to the Mississippi Development Authority to change the scope from a “Roundabout” to construction of a “New Access Road” on the east side of the commercial district from East Aloha Drive to Diamondhead East.

**SECTION 3.** The City obligated approximately \$141,280 in the original match resolution and will commit another \$60,000 for a total of \$201,280 whether it be cash, in-kind services or a combination of both to meet the match requirement for this grant application.

**SO BE IT RESOLVED**, this the 19th day of January, 2015. The above and foregoing Resolution of the Mayor and Council of the City of Diamondhead, after having been first reduced to writing, was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_ and the matter being put to a vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Lopez	_____	_____	_____
Councilmember Woolbright	_____	_____	_____
Councilmember Knobloch	_____	_____	_____
Councilmember Sislow	_____	_____	_____
Councilmember Rech	_____	_____	_____
Mayor Schafer	_____	_____	_____

ATTEST:

\_\_\_\_\_  
Thomas Schafer IV, Mayor

\_\_\_\_\_  
Kristin Ventura, City Clerk

seal

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Diamondhead, Mississippi, held on the \_\_\_\_ day of \_\_\_\_\_, 2016, the following Resolution:

**A RESOLUTION BY THE DIAMONDHEAD CITY COUNCIL TO URGE AND MEMORIALIZE THE MISSISSIPPI LEGISLATURE TO APPROPRIATE FUNDING TO THE SOUTHERN MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT TO ASSIST WITH COSTS ASSOCIATED WITH ATTEMPTS BY THE THREE COASTAL COUNTIES TO MITIGATE THE NEGATIVE IMPACTS OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012 AND FOR RELATED PURPOSES**

**WHEREAS**, the National Flood Insurance Program (NFIP) was created by the United States Congress in 1968 with the passage of the National Flood Insurance Act of 1968 (P.L. 90-448) to enable property owners in participating communities to purchase insurance protection from the government against losses from flooding; and

**WHEREAS**, the NFIP insures over 5 million homes in the United States, the large majority of which are along the Atlantic, Gulf, Pacific and Great Lakes shore lines of the United States; and

**WHEREAS**, the NFIP, historically, has provided insurance which, in an effort to create economic benefit, encouraged and incentivized coastal communities to develop their shore lines, including the concentration of economic production, population and infrastructure along the coast; and

**WHEREAS**, shoreline communities around the country, and certainly in the State of Mississippi, have become a stronghold for economic vitality by providing not only major economic engines (including transportation and access to trade corridors), but also for activities that are major contributors to the Mississippi Coast's historic economic success and strength: tourism, recreation, and cultural activities; and

**WHEREAS**, in recent years, the United States Congress passed the Biggert-Waters Flood Insurance Reform Act of 2012 (Biggert-Waters), which significantly overhauled the National Flood Insurance Program (NFIP); and

**WHEREAS**, while ensuring the long term solvency and long-term sustainability of the NFIP are valid goals of the US Congress, those goals must take into account the negative side-effects associated with Biggert-Waters flood mapping efforts including, but not limited to, the increased difficulties to conduct business, trade, and live in these shoreline communities throughout the Country, including communities along the Mississippi Gulf Coast caused by such mapping; and

**WHEREAS**, shoreline communities that have undergone the FEMA and NFIP required process to revise their flood maps are discovering that the maps are flawed, inconsistent from one community to another and, effectively, have been improperly drawn; and

**WHEREAS**, communities that have recently had FEMA flood map changes, like communities all along the Mississippi Gulf Coast, will pay higher rates due to Biggert-Waters than communities in other areas of the Country that, though built at similar flood elevations, have not had recent flood map studies, or have had studies that are inconsistent with the findings in other but related areas; and, as a result of incomplete flood map studies and changes, communities like those along the Mississippi Gulf Coast will likely bear a larger burden of the NFIP program and thus suffer competitive trade and other disadvantages; and

**WHEREAS**, now, after receipt of a September of 2015 notice from FEMA to coastal cities, it appears that FEMA has remapped the Mississippi Gulf Coast yet again, even though there are large areas of the entire country that have yet to be mapped once, and that preliminary data shows this re-mapping is placing new areas of Mississippi in FEMA-created flood zones; and



**WHEREAS**, in an effort to achieve reasonable and deserved relief, certain communities have undertaken the arduous and expensive task of challenging the revised and amended flood maps, and are winning their challenges in cases where the communities can present well-prepared and drafted engineering studies in support of their position that the flood maps for their communities are not properly created; and

**WHEREAS**, individually, no Mississippi coastal community, city or county has the financial resources or wherewithal to undertake the required engineering studies, but together, the communities of the Mississippi Gulf Coast, with financial assistance from the state to fund the aforementioned studies, can work together to ensure that a consistent map for the entire Mississippi Gulf Coast and, indeed, our coastal region, is prepared and submitted to NFIP and FEMA as part of a regional challenge to the post-Katrina (i.e., current) flood maps currently governing the Mississippi Gulf Coast; and

**WHEREAS**, in an effort to mitigate the effects of Biggert-Watters, the full impact of which will likely now be triggered upon property owners in Coastal Mississippi due to the previously referenced remapping, and to ensure that flood maps governing the City of Diamondhead and other Mississippi Coastal communities are accurate, the governing authority of the City of Diamondhead hereby memorializes the legislature of the State of Mississippi to appropriate funds to the Southern Mississippi Planning and Development District to help offset and fund the costs of engaging an expert engineer or engineers to remap the flood zones and flood elevations in the three coast counties (Harrison, Hancock, and Jackson) in order to facilitate and support a comprehensive challenge to the flood zones and elevations put in place by FEMA.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS, TO  
WIT:**

**Section 1.** That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

**Section 2.** That the Governing Authority of the City of Diamondhead, Mississippi, hereby urges and memorializes the Coast's state legislative delegation to actively pursue an appropriation in the amount of \$1,500,000.00 to the Southern Mississippi Planning and Development District to offset and fund the costs of engaging an expert engineer or engineers to study and remap the flood zones and flood elevations in the three coastal counties (Harrison, Hancock, and Jackson) in order to support and create a challenge to the flood zones and elevations as have been determined by FEMA to be applicable in the three coast counties.

**Section 3.** That this Resolution is hereby ordered to be spread on the minutes of the Governing Authority, and to be in full force and effect immediately upon its passage and enactment according to law.

**Section 4.** That a copy of this resolution shall be provided to each member of the Coast Legislative Delegation, as follows: Representatives and Senators representing districts comprised, in whole or in part, of Hancock County, Harrison County and Jackson County, all located on the Mississippi Gulf Coast.

I hereby certify that above and foregoing resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Lopez	_____	_____	_____
Councilmember Woolbright	_____	_____	_____
Councilmember Knobloch	_____	_____	_____
Councilmember Sislow	_____	_____	_____
Councilmember Rech	_____	_____	_____
Mayor Schafer	_____	_____	_____

ATTEST:

\_\_\_\_\_  
Thomas Schafer IV, Mayor

\_\_\_\_\_  
Kristin Ventura, City Clerk

seal

**WHEREUPON**, the Mayor declared the motion carried and the Resolution adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

(SEAL)

ATTEST:

APPROVED:

\_\_\_\_\_  
Kristin Ventura, CITY CLERK

\_\_\_\_\_  
Thomas E. Schafer, IV MAYOR